

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XP SECURITIES, LLC, : Case No. 1:17-cv-07044 (VSB)
Plaintiff, :
: :
-against- :
: :
DAVID LAPORTE CURLEY, : **NOTICE OF MOTION FOR STAY**
: **AND PRELIMINARY INJUNCTION**
Defendant. :
:

PLEASE TAKE NOTICE, that upon the Declaration of Robert P. Lewis, Esq. dated September 15, 2015 and the exhibits annexed thereto, the accompanying Memorandum of Law dated September 14, 2017, the Verified Complaint dated September 13, 2017, and all proceedings heretofore had herein, Plaintiff XP Securities, LLC ("XP Securities") will move this Court, on October 24, 2017, at 12:45 p.m. or as soon thereafter as counsel may be heard, in Courtroom 506 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for an Order (a) staying and preliminarily enjoining Defendant David Laporte Curley from prosecuting and proceeding an arbitration initiated by Defendant in the Financial Industry Regulatory Authority, captioned: *David Laporte Curley against XP Investimentos CCTVM S.A., XP Controle Participacoes, S.A., XP Investimentos Holding S.A., XP Holding International LLC, XP Securities LLC, Marcello Maisonnave de Oliveira, Guilherme Benchimol, Fabricio Almeida, Actis LLP, General Atlantic, LLC, General Atlantic Service Company, LLC, GA Investimentos XP S.A., Dynamo Fund, LLC, Itau Unibanco Holding S.A., Itau BBA USA Securities, Inc., Itau USA Asset Management, Inc., and Itau International Securities, Inc., Itau BBA USA Securities, Inc., Itau USA Asset Management, Inc., Itau USA Asset Management, Inc., Itau International Securities, Inc.,* FINRA Office of Dispute Resolution Arbitration Number 17-

01652, as against XP Securities, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and Chapter 2 of the Federal Arbitration Act, 9 U.S.C. § 201, *et seq.*, and (b) awarding all such other and further relief as the Court deems just and appropriate.

Pursuant to the Court's Order dated September 19, 2017, Defendant's papers in opposition to XP Securities' motion herein shall be served and filed on or before September 29, 2017; and XP Securities' papers in reply shall be served and filed on or before October 13, 2017.

Dated: New York, New York
September 19, 2017

BAKER & MCKENZIE LLP

By: s/Robert P. Lewis
Robert P. Lewis (RL 6321)

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